

EXHIBIT B

1
2 UNITED STATES DISTRICT COURT
3 EASTERN DISTRICT OF NEW YORK

4 -----X

5 STEPHEN ELLIOTT,

6 Plaintiff,

7
8 -against-

No.

1:18-cv-05680-LDH-SJB

9 MOIRA DONEGAN, and JANE DOES (1-30),

10 Defendants.

11 -----X

12 January 14, 2021

13 2:10 p.m.

14
15 ZOOM DEPOSITION of MOIRA DONEGAN, a
16 Defendant herein, taken by the Plaintiff,
17 pursuant to Federal Rules of Civil Procedure,
18 and Order, held at the above-mentioned time,
19 virtually before Edward Leto, a Notary Public of
20 the State of New York.
21
22
23
24
25

A P P E A R A N C E S:

NESENOFF & MILTENBERG LLP

Attorneys for Plaintiff

363 Seventh Avenue, 5th Floor

New York, New York 10001-3915

BY: NICHOLAS E. LEWIS, ESQ.

(via Zoom videoconference)

KAPLAN HECKER & FINK LLP

Attorneys for Defendant Moira Donegan

350 Fifth Avenue, Suite 7110

New York, New York 10118

BY: JOSHUA MATZ, ESQ.

(via Zoom videoconference)

ALSO PRESENT:

MARTHA E. FITZGERALD, ESQ.

Kaplan Hecker & Fink LLP

(via Zoom videoconference)

THEA RAYMOND-SIDEL, LAW CLERK

Kaplan Hecker & Fink LLP

(via Zoom videoconference)

FEDERAL STIPULATIONS

IT IS HEREBY STIPULATED AND AGREED by
and between the parties hereto, through their
respective counsel, that the certification,
sealing and filing of the within examination
will be and the same are hereby waived;

IT IS FURTHER STIPULATED AND AGREED
that all objections, except as to the form of
the question, will be reserved to the time of
the trial;

IT IS FURTHER STIPULATED AND AGREED that
the within examination may be signed before any
Notary Public with the same force and effect as
if signed and sworn to before this Court.

1 M. Donegan

2 THE REPORTER: Due to the
3 need for this deposition to take
4 place remotely because of the
5 Government's order for social
6 distancing, the parties will
7 stipulate that the court reporter
8 may swear in the witness over the
9 Zoom virtual videoconference and
10 that the witness has verified that
11 she is in fact Moira Donegan.

12 Counsel, do you so
13 stipulate?

14 MR. MATZ: Yes.

15 MR. LEWIS: Yes.

16 M O I R A D O N E G A N, the Witness herein,
17 having been first duly sworn by a Notary
18 Public in and of the State of New York,
19 was examined and testified as follows:

20 EXAMINATION BY

21 MR. LEWIS:

22 Q Please state your full name for
23 the record.

24 A Moira Donegan.

25 Q What is your current address?

1 M. Donegan

2 A [REDACTED]

3 [REDACTED]

4 MR. MATZ: For the sake of
5 clarity, Ms. Donegan's address
6 will not be made public as part of
7 any record of the deposition,
8 correct?

9 MR. LEWIS: My
10 understanding as well.

11 MR. MATZ: Thank you,
12 Mr. Lewis. I appreciate it.

13 Q Good afternoon, Ms. Donegan.
14 Thank you for bearing with us with technical
15 difficulties. As you know, I'm the attorney for
16 Stephen Elliot and I'm just going to ask you
17 some questions. I'd just like to -- just a few
18 ground rules.

19 The first is if there's ever a
20 point where you'd like to take a break for any
21 reason, I certainly have no problem with that.
22 However, take as many as you need to feel
23 comfortable. I would just ask if there's a
24 question pending, you please answer it and then
25 I'll go on your schedule as far as breaks.

1 M. Donegan

2 I would also ask -- I'd just like
3 to clarify, I do not intend and I do not plan to
4 in any way ask you to reveal the identity of a
5 third party, so if there's any confusion as to
6 that, I certainly don't want to know anyone's
7 names, and I'm sure your excellent counsel
8 advised you the court told us that we should not
9 be naming any names here.

10 I also am happy to rephrase any
11 questions if they're confusing or poorly worded.
12 Just let me know and I'd be happy to rephrase
13 any questions. I also at no point want to know
14 about any communications between you and your
15 attorney or any attorneys, so I'm never looking
16 to get any information that was discussed
17 between you and your attorney, just for clarity
18 purposes.

19 And I will, of course, do my best
20 not to speak over you and let you finish your
21 answer. I would ask for the same. If you could
22 let me finish my question even if you know where
23 I'm going, it's just easier for the reporter, as
24 Mr. Court reporter has stated.

25 Are you able to hear me clearly at

1 M. Donegan

2 the moment and everything I just said?

3 A Yeah. It would be -- it might
4 help me a bit if you could perhaps move closer
5 to the microphone or speak a little more loudly.

6 Q Sure. Let me make -- I will speak
7 louder and, again, please let me know if you
8 don't hear anything, I'm happy to repeat.

9 Ms. Donegan, we're here obviously
10 to talk about the Google Spreadsheet entitled
11 "Shitty Media Men." I'm going to refer to it
12 either as -- mostly like as "the List" the great
13 majority of the time or "the Spreadsheet."

14 So for purposes of looking at the
15 exhibits, the first exhibit I'm going to ask you
16 to look at is page Elliott 0001. Do you have
17 that document in front of you, ma'am?

18 A Yes, I do.

19 MR. LEWIS: Okay. And for
20 purposes of Mr. Reporter,
21 Mr. Leto, for Elliott 000001, I'm
22 going to ask that be marked as
23 Plaintiff's 1.

24 (Plaintiff's Exhibit 1,
25 document Bates stamped ELLIOTT

1 M. Donegan

2 00001, was marked for
3 identification, as of this date.)

4 Q So, Ms. Donegan, can you please --
5 for starters, do you recognize the document in
6 Elliott 001?

7 A I do not know where this image
8 came from so I can't be sure, but it appears to
9 be an image of the Shitty Media Men Spreadsheet.

10 Q Okay. Thank you. And it's my
11 understanding that you created the original
12 spreadsheet before there were entries made; is
13 that correct, ma'am?

14 A I opened the Google document that
15 entries were later made onto, yes.

16 Q Okay. Can you please tell me
17 before the entries with individuals' names, can
18 you tell me what specifically you added to the
19 Spreadsheet? You can start from the top if
20 that's easiest for you.

21 A I'm sorry, I'm going to ask you to
22 clarify and maybe repeat your question. The
23 microphone cut out just a little bit.

24 Q Sure. So starting from the top of
25 the document, we can start with say row one and

1 M. Donegan

2 cell 1A is the Disclaimer, did you type that
3 disclaimer into the List, ma'am?

4 A The row one, column A that reads
5 "Disclaimer, this document is only a collection
6 of misconduct allegations and rumors. Take
7 everything with a grain of salt. If you see a
8 man you're friends with, don't freak out." Yes,
9 I believe I did write that.

10 Q Okay. And then going over to
11 column B in row one, it reads "men accused of
12 physical sexual violence by multiple women are
13 highlighted in red."

14 Did you input that information,
15 ma'am?

16 A Yes, I believe I did input the
17 information in row one, column B. However, as
18 it appears here, that text is colored, the
19 background is yellow, some of the text is blue
20 and some of the text is red, and I did not make
21 those formatting changes.

22 Q Okay. And do you know who did?

23 A No.

24 Q And how about for row one, column
25 C, the "** you can edit anonymously by logging

1 M. Donegan

2 out of your gmail" instruction, did you input
3 all that information in 1C, ma'am?

4 A No, I did not input all the
5 information.

6 MR. MATZ: Objection to
7 form.

8 Q Can you tell me what, if anything,
9 you yourself input in 1C, ma'am?

10 A To the best of my recollection, 1C
11 reads "** You can edit anonymously by logging
12 out of your gmail. ** Please never name an
13 accuser, and please never share this document
14 with a man. Please don't remove highlights or
15 names."

16 I believe what I wrote was "you
17 can edit anonymously by logging out of your
18 gmail. Please never name an accuser, and please
19 never share this document with a man."

20 Q Okay. And do you know who added
21 "please don't remove highlights or names"?

22 A Do I know who added in 1C "please
23 don't remove highlights or names"? Do I know
24 who added that text?

25 Q Yes.

M. Donegan

A No, I don't know.

Q Okay.

Q

A "Added anything," are you referring -- what are you referring to?

Q So any information, any of the words, any of the -- let's start with, for example, row two has the headings -- 1A is Last Name, 2B is First Name, 2C is Affiliation, 2D is Alleged Misconduct, 2E is Notes, did you input those headings?

1 M. Donegan

2 A The text in row two, Last Name,
3 First Name, Affiliation, Alleged Misconduct, and
4 Notes, yes, I do believe that I inputted those.

5 Q Okay. And of course in your
6 affidavit you stated that there were -- you know
7 what, actually, why don't I do this --
8 withdrawn. I'll come back to that.

9 Do you have a specific
10 recollection of adding any other words beyond
11 what we've already discussed [REDACTED]

12 [REDACTED]
13 [REDACTED]
14 [REDACTED] do you have a
15 recollection of adding any other words onto the
16 List specifically?

17 A I know that I later typed more
18 words into the document. I do not know which
19 words those are or where they can be found on
20 the document.

21 Q Okay. Fair enough. Ms. Donegan,
22 I'd like to just take a step back. Just from a
23 chronological standpoint, do you remember when
24 approximately you first decided you were going
25 to create the List?

1 M. Donegan

2 A I couldn't quite hear you. I'm
3 sorry. You cut out just a bit. Can you repeat
4 that?

5 Q Yes, of course. Do you remember
6 when you first decided you were going to create
7 the List --

8 A Do --

9 Q -- approximately?

10 A -- I remember when I -- I'm sorry,
11 I interrupted you. Could you repeat that?

12 Q "Approximately" was the only word
13 I added to that question. So do you know when
14 approximately you first decided I'm going to
15 create this Google Spreadsheet?

16 A I don't remember making the choice
17 to create the document.

18 Q Okay. Can you tell me
19 approximately when you had the idea of creating
20 the document?

21 A The question is when did I have
22 the idea to create this specific document? What
23 do you mean "the idea"? I'm sorry, I'm just
24 trying to be very precise here.

25 Q Okay. Can you tell me when you

1 M. Donegan
2 first thought of the Google Spreadsheet?

3 MR. MATZ: Objection to
4 form. Ms. Donegan, you should
5 feel free to answer the question.

6 A I'm sorry. I can tell you
7 approximately when I did create the document.
8 When the idea arrived in my mind would have been
9 soon before.

10 Q Okay. And are you talking hours
11 or days or minutes? Was it the same day that
12 you thought of it?

13 A Between -- this is a bit hard for
14 me to answer because I simply don't remember
15 having the initial thought. There was not a
16 long period of time between the initial thought
17 and opening what became the document that we're
18 talking about.

19 Q Okay. Can you tell me what you
20 remember about your -- what you did during that
21 time period?

22 A During which time period?

23 Q From when you had the initial
24 thought to when the Google Spreadsheet was
25 posted and went live?

1 M. Donegan

2 MR. MATZ: Objection to

3 form.

4 A You know, I don't remember when I
5 had the idea. So without a ton more
6 information, I couldn't tell you what activities
7 I was engaged in in that time.

8 Q Okay. Do you remember anything
9 that you did regarding the List before it was
10 posted and went live?

11 A What do you mean by "was posted"?
12 What are you referring to there?

13 Q At some point you put this
14 document, you put the Google Spreadsheet up and
15 had third parties enter information into it,
16 correct?

17 MR. MATZ: Objection to
18 form. It's a compound question.

19 A So you're asking me whether the
20 document was ever able to be edited by third
21 parties, is that the question?

22 Q No. I just want to know what
23 steps you took from the time that you had the
24 idea of the Google Spreadsheet until up to and
25 including when you posted the Spreadsheet on

1 M. Donegan

2 your -- using your Google account?

3 A I'm still unclear. I'm sorry, I'm
4 still unclear on the information you're looking
5 for. Are you wondering about what I did during
6 the day?

7 Q Yes, ma'am.

8 A Again, I don't remember when I had
9 the idea for the document, so I could tell you
10 in very general terms about what my life was
11 like at the time, what a typical day would have
12 been for me at the time. But beyond that, I'm
13 just not entirely sure what you're asking.

14 Q I think that's fair. I think
15 that's a good starting point and I can ask you
16 questions from there.

17 MR. MATZ: Objection. Is
18 there a question?

19 Q Well, if you'd like to tell me
20 just what your typical day was like, I can ask
21 you questions off of that, if that's easier,
22 Ms. Donegan.

23 A Okay. My typical day, at the time
24 I was residing in a shared house at [REDACTED]
25 [REDACTED] I went to a Planet Fitness

1 M. Donegan

2 most mornings on the corner of Nordstrom and
3 Fulton Street in Brooklyn. And after I
4 exercised, I would shower and then take the A
5 train to 14th Street where I had a job at a
6 magazine that was based in Union Square.

7 Q What time of day -- I understand
8 you don't know exactly what time you did things
9 on this day, but can you tell me what part of
10 the day you posted the Google Spreadsheet?

11 A What part of which day?

12 Q The day that you posted the Google
13 Spreadsheet, October 11 of 2017?

14 A You're asking what time of day --
15 and "posted" as you refer to it means make it
16 available for third parties to read and edit?

17 Q Yes. How would you refer to it?
18 How would you classify that making it available
19 to third parties? I'd like to use language
20 that's comfortable for you.

21 A I would say just that, that I made
22 it available to third parties.

23 Q Okay. So did you make it
24 available in the afternoon on October 10, 2017?

25 MR. MATZ: Objection.

1 M. Donegan

2 Objection to form.

3 A To the best of my recollection,
4 the document was not available to third parties
5 and may not have existed at all at any time on
6 October 10, 2017.

7 Q On October 11, 2017?

8 A At some time on October 11, 2017 I
9 made the document available to third parties to
10 read and edit. I'm not exactly clear when in
11 the day. It would have been sometime before
12 noon.

13 Q I'm sorry, I missed that last
14 part, Ms. Donegan, it was sometime before noon
15 did you say?

16 A Yes, before noon. 12 p.m.

17 MR. LEWIS: Okay. And just
18 off the record for one moment.

19 (Discussion held off the
20 record.)

21 MR. LEWIS: Back on the
22 record.

23 Q So, Ms. Donegan, did you speak
24 with anyone about your making the List available
25 for third parties prior to making it available?

1 M. Donegan

2 A Did I speak with anyone about
3 making the document available to third parties
4 before I did so, is that the question?

5 Q Did you speak with anyone about
6 the document before you made it available to
7 third parties?

8 A Did I speak to anybody about the
9 document at all before I made it available to
10 third parties?

11 Q Yes, ma'am.

12 A I can't remember any conversation
13 like that, no.

14 Q Did you communicate with anyone in
15 any way about the document before you made it
16 available to third parties on October 11, 2017?

17 A You cut out a little bit. I'm
18 sorry, can you repeat that?

19 Q Did you communicate with anyone
20 about the document before you made it available
21 to third parties?

22 A About the document at all? What
23 about the document?

24 Q Anything about the document.

25 A The question is did I have any

1 M. Donegan

2 conversation with anyone regarding anything
3 about this document before I made it available
4 for third parties to read and edit it?

5 Q Did you communicate with anyone?
6 So conversation it can be via email, text
7 message, any type of communications about the
8 document before you made it available to third
9 parties?

10 A Not that I recall, no.

11 Q How did you make this document
12 available to third parties?

13 A How did I make it available to
14 third parties?

15 Q Yes, ma'am.

16 A I would need to have my memory
17 refreshed about the Google document user
18 interface in 2017 to give you the exact sequence
19 of actions that I took because I don't remember.

20 Q Okay. Do you remember any of the
21 steps you took?

22 A Any of the steps I took for what?

23 Q To make the document available to
24 third parties?

25 A At some point I sent an email that

1 M. Donegan

2 contained a link to the document to other
3 people.

4 Q Okay. And do you remember
5 approximately how many people you sent that
6 email to?

7 A I don't recall an exact number.
8 To the best of my recollection, and I want to
9 emphasize that this is an estimate, it was
10 somewhere between three people and 12 people.

11 Q And again, I don't want to know
12 anyone's name, do you recall any of the people
13 specifically whom you sent it to in that email?

14 A Do I recall the identities of
15 those people that I sent that email to?

16 Q Yes, ma'am.

17 A No, I do not.

18 Q Okay. Were the people you sent
19 the initial email to friends of yours?

20 A I don't recall who they were.
21 They were not strangers.

22 Q Okay. Was that email, the initial
23 communication you sent, the email with the link,
24 was that the initial communication you sent
25 about the List?

1 M. Donegan

2 A Was the email I sent with the link
3 the first you mean?

4 Q Yes. I'm sorry, I'll try to speak
5 English better.

6 A I'm just trying to make sure I
7 absolutely understand you.

8 Q I understand. I very much
9 appreciate it.

10 A So you're asking if the email I
11 initially sent to those three to 12 people was
12 the first time I had communicated with anyone
13 about this document?

14 Q Yes, ma'am.

15 A To the best of my recollection I
16 believe it was.

17 Q Okay. And did you communicate
18 with others about the existence of the List?
19 And so I'm referring to basically -- I
20 understand you had communications where there
21 were some of people asking about how to enter
22 stuff, etcetera. I'm just talking about
23 communications where you're sending it out for
24 the first time to make others aware of it.

25 Did you have any other means of

1 M. Donegan

2 which you sent the link of the List out, whether
3 on social media or otherwise?

4 MR. LEWIS: And Joshua, I
5 recognize the form is not ideal.
6 I apologize for that.

7 MR. MATZ: Objection to
8 form. Can I ask you to restate
9 the question?

10 MR. LEWIS: Sure.

11 Q Did you send the List out in any
12 other way in that initial circulation?

13 A Did I send it out how?

14 Q Did you send it out on any of your
15 social media platforms, for example?

16 A No.

17 Q Okay. Did you circulate the link
18 in any other fashion other than that initial
19 email to the approximately three to 12 people?

20 A Did I send the link to the
21 document ever again?

22 Q Yes.

23 A Yes.

24 Q Okay. And can you tell me how you
25 sent that link out in any of the subsequent

1 M. Donegan

2 times, and whether it be via your email, social
3 media, text message, the means of which you
4 communicated or circulated the link?

5 A So my memory -- this was three and
6 a half years ago and my memory is --

7 Q I understand.

8 A To the best of my recollection,
9 there were occasions throughout the course of
10 the time that the link was active or rather when
11 the Spreadsheet was available to be written,
12 edited by third parties when people communicated
13 to me or reached out to me with requests for the
14 link to the document, and I complied with those
15 requests.

16 Q Okay. And with the exception --
17 aside from people requesting a link from you, do
18 you recall the manner in which you circulated
19 the link to -- aside from that email to the
20 three to 12 people, do you have any recollection
21 of circulating the link otherwise?

22 MR. MATZ: Objection to
23 form.

24 A Yeah, I'm going to ask you to
25 restate that question, Mr. Lewis.

1 M. Donegan

2 Q Okay. So, Ms. Donegan, you had a
3 Twitter account at the time?

4 A Yes.

5 Q Did you circulate the link to the
6 List via your Twitter account?

7 A I don't remember how I received
8 those communications from people requesting the
9 link to the document. It is possible that some
10 of those requests came to me via a direct
11 message on Twitter, but I don't recall.

12 Q Okay. Let's start with the
13 initial email that you sent to approximately
14 three to 12 people. How did you describe the
15 List to those three to 12 people approximately
16 in your email?

17 MR. MATZ: Objection to
18 form.

19 A Are you asking me to describe --
20 I'm going to ask you to rephrase that question
21 because I'm unclear on it.

22 Q Okay. Can you tell me what you
23 wrote in that email, in the body of that email
24 to the three to 12 people?

25 A I don't recall that I wrote

1 M. Donegan

2 anything in the body of that email.

3 Q Okay. So the email just contained
4 the link for the Spreadsheet without further
5 description or instruction?

6 A Again, you're asking about the
7 content of that initial email?

8 Q Yes.

9 A I'm sorry I interrupted you.
10 Please finish.

11 Q I just wanted to clarify,
12 Ms. Donegan, I of course understand it and
13 Mr. Matz and I discussed a significant amount of
14 time that you don't remember specifics. Like, I
15 don't expect you to remember the exact sentences
16 you wrote in the email, so if you could describe
17 things in sort of sum and substance, if you're
18 able to do that, I certainly would be happy to
19 hear that answer as well.

20 Just to clarify, I'm not expecting
21 you to remember just every single detail or
22 every single word you wrote, but if you have
23 recollection of some parts, I'd certainly like
24 to hear about that just for all my future
25 questions. I'd very much appreciate it. It's

1 M. Donegan

2 not easy to remember what you did three and a
3 half years ago.

4 So just with that explanation, do
5 you remember anything that you included in the
6 body of that initial email other than the link,
7 if anything?

8 A The question is do I remember what
9 I included in the body of the email that
10 circulated the link to those initial three to 12
11 people?

12 Q The question is do you recall
13 anything that you included? It doesn't have to
14 be -- just if you have a general recollection of
15 what you said to the three to 12 people when you
16 sent it.

17 A Aside from the link, I have no
18 recollection of what was in the content of that
19 email or if there was any additional content to
20 that email.

21 Q Okay. Fair enough. Did you
22 communicate with those approximately three to 12
23 people about the List in any form aside from
24 that email? Was there a group text message, for
25 example?

1 M. Donegan

2 A Again, I don't recall who these
3 people are, so I can't go into any detail about
4 what other conversations or communications I may
5 or may not have had with them then or at any
6 other time.

7 Q Okay. Do you recall where you
8 were when you first made the List -- withdrawn.
9 Do you recall where you were when you sent that
10 initial email to the approximately three to 12
11 people?

12 A To the best of my recollection I
13 was at my home.

14 Q Okay. And was anyone with you at
15 your home when you sent that initial email
16 circulating the link?

17 MR. MATZ: Objection to
18 form.

19 A There were quite a number of
20 people in the building. At the time I was
21 living with eight roommates. Are you asking me
22 whether other people were in the room or were
23 witnessing me send the email?

24 Q Yes, ma'am.

25 A No, there were not any other

1 M. Donegan

2 people in the room with me.

3 Q Okay. Were there other people in
4 the building with you when you first circulated
5 the link?

6 MR. MATZ: Objection.

7 Calls for speculation.

8 A You know, when you live with eight
9 roommates, there's always someone else home more
10 or less. It would have been very unusual for me
11 to be the only person in that building.

12 Q At any point after you first
13 circulated the link, did you have any
14 conversations with anyone during the time the
15 List was active that you recall?

16 MR. MATZ: Objection on
17 vagueness. When you say "the List
18 was active" --

19 MR. LEWIS: Noted. Thank
20 you, Joshua.

21 Q When the List was accessible by
22 third parties?

23 A Conversations, what kind of
24 conversations?

25 Q So oral communications?

1 M. Donegan

2 A On the day the document was
3 active -- the question is on the day the
4 document was active was I speaking or -- excuse
5 me, on the day the document was available to be
6 viewed and edited by third parties, did I have
7 any in-person conversations with any other
8 people?

9 Q About the List.

10 A Specifically about the List?

11 Q Yes.

12 A Not that I know. During the
13 evening of October 11 while the Spreadsheet was
14 available to be viewed and edited by third
15 parties, I walked to a friend's house where she
16 had invited me and another friend to have
17 dinner, and I believe while I was there we did
18 discuss the existence of the Spreadsheet.

19 Q And can you tell me, in sum and
20 substance, what you guys discussed?

21 A No, I don't really recall.

22 Q Okay. And Ms. Donegan, did you
23 tweet about the List on October 11 when the List
24 was accessible to third parties?

25 A Did I tweet? Could you clarify

1 M. Donegan

2 your question for me? What do you mean?

3 Q Sure. Did you send -- I guess did
4 you post any tweets about the List while the
5 List was accessible by third parties?

6 A To my recollection, I did not make
7 any public posts about the document or regarding
8 the document.

9 Q Okay. And does that include for
10 all of your social media platforms at the time?

11 A I don't recall making any public
12 social media posts of any kind, be it on Twitter
13 or Instagram or Facebook or any other platform
14 about the document.

15 MR. LEWIS: And

16 Ms. Donegan, I'd ask you to turn
17 to Elliott 0002, please and,
18 Mr. Leto, while Ms. Donegan is
19 looking, I'd like to mark that as
20 Plaintiff's Exhibit 2.

21 (Plaintiff's Exhibit 2,
22 document Bates stamped ELLIOTT
23 000002, was marked for
24 identification, as of this date.)

25 MR. MATZ: Is that Elliott

1 M. Donegan

2 2 or Donegan 2?

3 MR. LEWIS: Elliott 2.

4 MR. MATZ: Thank you.

5 MR. LEWIS: A screen shot.

6 And while Ms. Donegan is looking
7 at that, Mr. Leto, just to speed
8 things up, I'd like to mark
9 Elliott 0004 as Plaintiff's
10 Exhibit 3, and the Affidavit of
11 Moria Donegan dated August 13,
12 2020 as Plaintiff's Exhibit 4, and
13 Ms. Donegan's Response to
14 Plaintiff's Interrogatories as
15 Plaintiff's Exhibit 5.

16 (Plaintiff's Exhibits 3, 4
17 and 5, Document Bates stamped
18 ELLIOTT 000004, Affidavit of Moira
19 Donegan dated August 13, 2020, and
20 Defendant Moira Donegan's
21 Responses and Objections to
22 Plaintiff's First Set of
23 Interrogatories, were marked for
24 identification, as of this date.)

25 Q Ms. Donegan, regarding Elliott

1 M. Donegan

2 0002 which is marked as Plaintiff's Exhibit 2,
3 I'd like to -- Ms. Donegan, I don't know if
4 you're -- can you guys hear me?

5 MR. MATZ: I can generally
6 hear you okay.

7 Q Ms. Donegan, may I ask you just to
8 review the message above the Spreadsheet on
9 Elliott 0002 and as well as the message
10 underneath the Spreadsheet. It starts with "on
11 Thursday, October 12, 2017 at 10:06 a.m."
12 there's a message. The person who sent it is
13 redacted?

14 A Yes.

15 Q And it reads "Moirira took it
16 down/made it private." Okay. And, Ms. Donegan,
17 are you aware of the person who sent that
18 message -- again, I don't want to know any
19 names -- at the bottom of the page?

20 A The person who sent a message on
21 Thursday, October 12, 2017, "Moirira took it
22 down/made it private after it blew up last night
23 but I have a screen shot from about noon
24 yesterday I can find and send."

25 MR. MATZ: Objection to

1 M. Donegan

2 form. Lack of foundation and
3 calls for speculation.

4 A Mr. Lewis, is the question do I
5 know who wrote that message?

6 Q Yes, ma'am.

7 A I'm sorry?

8 Q Yes, ma'am.

9 A This message at the bottom, I do
10 not know who wrote that.

11 Q Okay. Can you explain to me, I
12 understand that you deleted the List at some
13 point approximately 12 hours after you created
14 it, was there a time prior to deleting it where
15 you restricted access to a small -- where you
16 restricted access to a specific amount of
17 people?

18 A The question is if before I
19 deleted the document from my personal Google
20 account, if I ever restricted its access before
21 I deleted it, is that the question?

22 Q Yes. Yes.

23 A Yes, there was a point that night
24 on the night of October 11, 2017 when I
25 restricted access to the document shortly before

1 M. Donegan

2 I deleted it.

3 Q And, Ms. Donegan, can you tell me
4 approximately how much time there was between
5 when you restricted access and what time you
6 deleted it?

7 A I don't recall very well. Again,
8 this is three and a half years ago at this
9 point --

10 Q Right.

11 A -- but to the best of -- I'm
12 sorry?

13 Q I just said "right."

14 A To the best of --

15 Q I apologize for interrupting.

16 A To the best of my recollection, I
17 took those steps over a very short time span.

18 Q And when you restricted access,
19 was anyone able -- did anyone have access to the
20 document aside from you?

21 A There was a short period of time
22 when I restricted access to the document, but
23 people who were not me could still access it. I
24 do not know what form that access took. And
25 then following that, there was a short period of

1 M. Donegan

2 time when only I could access the document. And
3 then following that I deleted the document.

4 Q Okay. Can you tell me
5 approximately how many people had access when it
6 was restricted?

7 A The question is if I can tell you
8 how many people had access to the document after
9 I restricted access? I don't recall.

10 Q Yes, approximately.

11 A I don't recall.

12 Q And how did you determine who
13 still had access after it was restricted?

14 A I don't recall any specific
15 thought process or judgment process involved. I
16 don't recall.

17 Q Did you know the people that you
18 granted restricted access to?

19 A I don't know. You're asking if
20 the people I restricted access to were people I
21 knew during that time after I restricted access,
22 but before I removed access and then deleted the
23 document?

24 Q I'm sorry, let me clarify. I'm
25 not asking for the people that were restricted

1 M. Donegan

2 from accessing it, the people that were still
3 permitted to access it when it was restricted.
4 So were the people you gave restricted access to
5 after you made it not completely public, were
6 they your friends?

7 A I'm afraid I don't quite
8 understand your question. Are you referring to
9 people who could continue to access the document
10 or people who could no longer access the
11 document?

12 Q The former, the people who still
13 had access to the document?

14 A I don't know who was in that
15 group. I don't know who could still access the
16 document during that time, so I can't go into
17 details about whether they were friends or
18 acquaintances or colleagues or mailmen. I don't
19 remember.

20 Q Okay. Ms. Donegan, look at
21 Elliott 002. [REDACTED]

22 [REDACTED] do
23 you recall entering any information into this
24 spreadsheet, whether words or highlights?

25 A So the question is about document

1 M. Donegan

2 Elliott 000002?

3 Q Yes.

4 A So this appears to be -- and
5 again, I don't know where this came from -- this
6 appears to be a screen shot of an email that
7 contained a screen shot of the Shitty Media
8 Men's Spreadsheet at some point in the day.
9 There is text that I know that I input on this
10 document such as what we discussed before. I
11 would have to read it for a moment.

12 Q I'm sorry, and you made a good
13 point. In addition to what we described before.
14 So I apologize. Thank you for clarifying that.

15 A Give me a moment to review this.

16 Q Yes, ma'am.

17 A Okay. Can you restate what your
18 question was?

19 Q Sure. Maybe you can tell me what
20 information, including not just words but also
21 highlights, that you yourself added to this
22 document -- this version of the Shitty Media
23 Men's Spreadsheet as you referred to it?

24 A So the text in row one, column A
25 in exhibit Elliott 2 is a little bit different

1 M. Donegan

2 from the text in row one, columns A, B and C in
3 Elliott 1. It appears at some point that that
4 text was altered and I don't know if all of this
5 in -- all of this text in row one, column A is
6 mine.

7 I recognize much of this language
8 and then that phrase "and then following the
9 spreadsheet link" in the second to last sentence
10 of row one, column A, I'm not sure that that was
11 my clause. I don't recall. But much of that
12 language was mine. And the content of row two,
13 those columns reading Last Name, First Name,
14 Affiliation, Alleged Misconduct and Notes, those
15 were mine.

16 Q Okay. Ms. Donegan, do you recall
17 highlighting any of the rows on the List?

18 A No, I don't recall highlighting
19 any of the rows on the List at any time.

20 Q Okay. And on the top of the
21 Spreadsheet of Elliott 002 there's a sentence
22 that is blocked that I'll just for the record
23 reads "last edit was made 7 minutes" and then
24 there's a rectangle that says "working," and the
25 letters after the "working" square seem to be

1 M. Donegan

2 O-N-E-G-A-N, do you see that, ma'am?

3 A Yes.

4 Q Okay. Did you make edits to the
5 List after you circulated it to the initial
6 three to 12 people, approximately?

7 A The question is did I make edits
8 to the List after it was available for third
9 parties?

10 Q That's fine. Yes, I'll adopt your
11 question.

12 A Yes.

13 Q Okay. And what edits did you
14 make, ma'am?

15 A I don't recall specifically.

16 Q In your affidavit -- do you have
17 your affidavit handy, Ms. Donegan?

18 A Yes.

19 Q On the third page --

20 A Hang on. Let me just pull it in
21 my binder. I want to just make sure I'm looking
22 at it.

23 MR. LEWIS: Yes, ma'am.

24 And Joshua, while Ms. Donegan is
25 looking, just so I'm clear, the

1 M. Donegan

2 starting time is 2:10 on your
3 clock?

4 MR. MATZ: Our starting
5 time was 2:10. I have us at 58
6 minutes, and I propose that we
7 plan to take a short break in the
8 next few minutes if you hit a
9 natural stopping point.

10 MR. LEWIS: Sure. You know
11 what, we can break now if that
12 works for you guys. Off the
13 record.

14 (Time noted: 3:08 p.m.)

15 (A break was taken.)

16 (Time noted: 3:21 p.m.)

17 MR. LEWIS: Back on the
18 record. Mr. Leto, can you just
19 please remind me what the last
20 question was.

21 (The requested portion of
22 the record was read by the
23 reporter.)

24 Q Ms. Donegan, did you have the
25 opportunity to look at your affidavit? I'm

1 M. Donegan
2 going to just ask you about paragraphs 17 and 18
3 and 19 in particular.

4 A I would like a moment to read them
5 now, if that's okay.

6 Q Yes, of course.

7 MR. MATZ: Nick, can you
8 just say again where exactly are
9 you directing her attention?

10 MR. LEWIS: Yes. Of
11 course, Joshua. We're on page
12 three of the August 13 Affidavit,
13 paragraphs 17, 18, 19 --

14 MR. MATZ: Got it.

15 MR. LEWIS: -- would be
16 where I'm asking questions.

17 A Okay.

18 Q And so, Ms. Donegan, just so I
19 have clarified for myself, it's my understanding
20 there was not -- withdrawn. Am I correct that
21 you did not send sort of just a public tweet or
22 any social media post where you invited the
23 public to post the List; is that correct?

24 A Could you be a little more
25 specific so I know what you're asking me?

1 M. Donegan

2 Q Sure. I'm just trying to -- I
3 know you sent the initial email to between three
4 and 12 people and, based on your answers, my
5 understanding is that there was not a more
6 general posting or advertising of the existence
7 of the List on your social media accounts. So I
8 just want to make sure I have any of the
9 possible avenues in which your communications
10 resulted in people contacting you in response to
11 your communication.

12 Based on these paragraphs, I
13 understand you had third parties, some amount of
14 third parties contact you to input information
15 into the List, so I guess my question would be
16 just do you know how these third parties or why
17 these third parties were reaching out to you
18 specifically?

19 MR. MATZ: Objection.

20 Calls for speculation about third
21 parties.

22 A Yeah, I don't know what
23 information -- so the question is -- I'm
24 actually not entirely sure what the question is.
25 Can you rephrase for me?

1 M. Donegan

2 Q Sure. Okay, let me rephrase it.
3 So, of course, according to paragraph 17 of this
4 affidavit, some individuals reached out to you
5 directly with information they wanted inputted
6 into the List, correct?

7 A That's correct.

8 Q And do you know how these
9 individuals came to reach out to you with the
10 information they had?

11 MR. MATZ: Again,

12 objection. Calls for speculation.

13 A I don't know how those people knew
14 that I could help them input information into
15 the document. I don't know how they came to
16 know that.

17 Q Okay. Aside from what we've
18 discussed or what you've testified about
19 already, was there -- did you ask individuals to
20 contribute -- I'm sorry, to input information
21 into the List in any other fashion other than
22 what we've discussed already, mainly the one
23 email that you sent?

24 MR. MATZ: Objection to

25 form.

1 M. Donegan

2 A I would not characterize the email
3 with the link to the document as asking people
4 to input it.

5 Q Fair enough. Did you ever ask --
6 withdrawn. Did you distribute the link in any
7 way beyond the one email to the approximately
8 three to 12 people?

9 A As I stated earlier, throughout
10 the time or during the time that the document
11 was available to be read and edited by third
12 parties, some individuals reached out to me
13 asking for the link and I complied with those
14 requests.

15 Q Did those individuals tell you how
16 they knew to reach out to you specifically?

17 A No, they did not.

18 Q Okay. And how did these
19 individuals contact you?

20 A Again, the question is how did the
21 individuals who wanted the link to the document
22 contact me?

23 Q I'm sorry, how did the individuals
24 who reached out to you to input information on
25 their behalf contact you?

1 M. Donegan

2 A So the question is how did the
3 people who wanted me to input information on
4 their behalf into the document, how did those
5 people get into contact with me?

6 Q Yes, ma'am.

7 A Again, this was a very long time
8 ago and my recollection is partial. To the best
9 of my recollection, those people reached out to
10 me via email and Twitter direct message. There
11 may have been other avenues of communication,
12 but if so, I don't remember them.

13 Q Okay. And obviously we keep
14 coming back to just this idea of course it's
15 three and a half years ago, so it's difficult to
16 remember all the actions, can you tell me
17 specifically what you do recall about that day
18 in general?

19 MR. MATZ: Objection to
20 form. You asked her if she
21 specifically recalls in general.

22 MR. LEWIS: Okay.

23 Q What do you recall in general --
24 thank you, Joshua -- if anything?

25 A It was an autumn day. I was in

1 M. Donegan

2 New York City. I woke up at my home in Crown
3 Heights. I went to work at my office in Union
4 Square. I took a walk -- I came home to Crown
5 Heights. I took a walk over to a friend's house
6 also in Crown Heights and ate dinner there, and
7 then I returned home and sometime after that
8 went to sleep.

9 Q And so as far as in regarding any
10 conduct you took with regard to the List that
11 day, do you recall any conduct you took with
12 regard to the List beyond what we've spoken
13 about so far?

14 A I'm sorry, Mr. Lewis, your
15 microphone cut out just a bit. Can you repeat
16 your question?

17 Q Sure. Do you recall any -- bless
18 you, Ms. Donegan -- do you recall any conduct
19 you took with regard to the List when it was
20 accessible to third parties that day other than
21 what we've discussed already?

22 MR. MATZ: Objection to
23 form. Vagueness.

24 A Yeah, I would like you to be more
25 specific in what you mean by "conduct,"

1 M. Donegan

2 Mr. Lewis, just so that I can answer you.

3 Q Sure. Do you recall explaining
4 the manner in which you can input information
5 into the List to third parties on that day?

6 A I'm sorry, I'm still not clear on
7 what you're asking.

8 Q Do you remember giving people
9 instructions on how to access the Google
10 Spreadsheet and input information on that day?

11 A We may have produced some
12 documents in which language like that appears.
13 If you have one in particular you'd like to
14 address, we can turn to it.

15 Q So I will very much do so but just
16 respectfully, I would like to know if there's
17 anything you have aside from those documents, do
18 you have just an independent recollection of
19 conversations like that or communications like
20 that where you were giving instructions on how
21 to access the List or input information?

22 A I know that when some people
23 reached out to me and asked me for the link to
24 the document, I complied with those requests.

25 Q Okay.

1 M. Donegan

2 A If there's a particular statement
3 you're wondering about or referring to, we can
4 look at it.

5 Q Okay. But just aside from those
6 documents, did you have an independent
7 recollection, did you remember any specific
8 conversations you had aside from those
9 documents?

10 A Again, this was more than three
11 and a half years ago. I don't recall with a
12 great deal of certainty or completeness.

13 Q Okay. Fair enough. So,
14 Ms. Donegan, in your affidavit the -- when
15 people -- I understand people contacted you via
16 email and Twitter. Did you have any phone
17 conversations with third parties who wished to
18 see information added to the Google Spreadsheet?

19 A The question is did I have a phone
20 conversation during the time it was available to
21 be edited and read by third parties with
22 somebody that requested that I add information
23 on their behalf?

24 Q Right.

25 A Not that I recall, no.

1 M. Donegan

2 Q Did you remove any information
3 from the Spreadsheet during the time it was
4 active -- I'm sorry, during the time it was
5 accessible by third parties?

6 A I know that at one point a user
7 who had previously wanted information to be put
8 on the document changed their mind and reached
9 out to me with a request that I remove it, and
10 to the best of my memory I complied with that
11 request.

12 Q Okay. And do you recall how that
13 individual reached out to you?

14 A No, I don't.

15 Q Do you recall who that individual
16 was specifically, and again, I don't want to
17 know their names?

18 A Do I recall who the individual was
19 who wanted me to remove an accusation that they
20 had previously inputted on the document?

21 MR. MATZ: Objection.

22 Asked and answered. You
23 previously asked if she knew the
24 identity of individuals who
25 communicated with her about

1 M. Donegan

2 information on the Spreadsheet.

3 You can answer the question.

4 A I can't recall the identity of
5 that person, no.

6 MR. LEWIS: Okay. So,
7 Ms. Donegan, I'd like you to turn
8 and I'll ask you to turn to
9 Donegan 53, and Mr. Leto, if we
10 could mark this, I think we're at
11 Exhibit 6. Page 53 from
12 Defendant's production is what I'm
13 referring to.

14 (Plaintiff's Exhibit 6,
15 document Bates stamped
16 DONEG00000053, was marked for
17 identification, as of this date.)

18 Q Ms. Donegan, if you can just give
19 me a head's up whenever you're done reviewing,
20 I'll ask you questions about that document.

21 A Please give me a moment to review.
22 Thank you.

23 Q Of course.

24 A Okay.

25 Q Okay. So, Ms. Donegan, the first

1 M. Donegan

2 sentence of your email appears to be October 11,
3 2017 at 4:41 p.m., states "Yeah, I've been
4 struggling with this too. A lot of people have
5 described to me, for instance" blank's "specific
6 pattern of suggesting that you fuck him and then
7 immediately suggesting that he can also get you
8 a job -- not quid pro quo, but quid pro quo
9 adjacent."

10 Do you recall approximately how
11 many people described this to you, and again, no
12 names or anything, just approximately how many
13 people reached out to you with this specific
14 allegation?

15 MR. MATZ: Objection to
16 form.

17 A You're referring to -- are you
18 referring to the second sentence of this 4:41
19 p.m. email "a lot of people have described to
20 me, for instance," redacted "specific pattern of
21 suggesting that you fuck him and then
22 immediately suggesting that he can also get you
23 a job"?

24 Q Yes, ma'am.

25 A Is the question -- what's your

1 M. Donegan

2 question?

3 Q I'm just trying to get a sense of
4 what a lot -- if you know, like approximately
5 how many people described this to you when you
6 say "a lot"?

7 A Over what time period?

8 MR. MATZ: Objection. Yes.

9 Objection to form.

10 Q Okay. Fair enough. Fair enough.
11 I guess the first question is, is the a lot of
12 people describing to you, was that that specific
13 day or a longer time period?

14 A I don't recall.

15 Q Okay. Can you recall just
16 approximately how many people we're talking
17 about here? Is it more than 10 people for
18 example?

19 A How many -- describe the category
20 of person you're asking about.

21 Q The people that specifically
22 described to you this deplorable conduct.

23 A How many people described to me
24 the conduct by this redacted person named in the
25 second sentence?

1 M. Donegan

2 Q Yes, ma'am.

3 A I don't recall.

4 Q When you're describing that I've
5 been struggling with this, can you explain what
6 you were struggling with, please?

7 A This person writes to me "looks
8 pretty damn accurate to me. I know a couple
9 people who are thinking about adding but don't
10 know if their issue qualifies as "that bad"...do
11 you think it's worth adding a note in the doc
12 about criteria for inclusion (or deletion, if
13 everyone can edit)? I think there are plenty of
14 sleazes or creeps who are not abusive but not
15 institutional (i.e. writers) so their
16 sleaziness/creepiness is more diffuse. But
17 maybe creep/sleaze only warrant inclusion on
18 this list if it's in an institutional context
19 when you really can't be that way?"

20 I'm sorry, what's your question?

21 Q So I guess I'm trying to clarify
22 specifically what you were struggling with.
23 Like, for example, were you struggling with
24 whether or not that should be included or
25 whether or not you should be inputting that into

1 M. Donegan

2 the List? I just want to know what you mean by
3 "yeah, I've been struggling with this too"?

4 A I've read this 4:31 p.m. email. I
5 think the word that -- the words that jump out
6 at me are "do you think it's worth adding a note
7 in the doc about criteria for inclusion (or
8 deletion, if everyone can edit)? I think there
9 are plenty of sleazes or creeps who are not
10 abusive," etcetera.

11 So I read this 4:31 email as
12 perhaps a request or an inquiry about adding
13 further instruction to or further text I imagine
14 to the top of the document, although I couldn't
15 testify precisely to what this person was
16 thinking and I ultimately declined to do so.

17 Q Okay. And, Ms. Donegan, after you
18 read this exchange, did this refresh your
19 recollection as to this interchange on that day?

20 A Did it refresh my recollection as
21 to what?

22 Q Like, when you read this, did you
23 then remember having this interchange on the day
24 the List was available to third parties?

25 A Do I remember receiving the 4:31

1 M. Donegan

2 email or sending the 4:41 email?

3 Q Right.

4 A I don't recall receiving or
5 writing these emails. If it's in my production,
6 I assume it was in my email account.

7 Q Okay. And the second paragraph,
8 Ms. Donegan, I could read it for the record, "on
9 the other hand," redacted "told me about a
10 similar attempt by poet women to catalog poet
11 men a couple years back that collapsed under the
12 weight of personal vendettas. People with axes
13 to grind against their shitty ex boyfriends,
14 people out to protect boyfriends or friends who
15 were nice to them but predators to others. It's
16 dicey."

17 Ms. Donegan, do you remember that
18 conversation when you were told about the poet
19 women's list?

20 A Do I remember the conversation
21 described in the second paragraph of this 4:41
22 email?

23 Q Yes, thank you for clarifying
24 that.

25 A I know I had it. I couldn't tell

1 M. Donegan

2 you when exactly I had that conversation or via
3 what medium or its content.

4 Q Okay. Do you remember if it was
5 prior to the List being made accessible to third
6 parties, that conversation?

7 A I don't.

8 Q Do you know who that redacted
9 person is, and I don't want to know their name?

10 A Which redacted person? There's
11 several.

12 Q The person who told you about the
13 similar attempt by poets?

14 A Yes, I do know who that is.

15 Q Okay. And after you were told
16 about the attempt by poet women, did you input
17 any information into the List as a result of
18 that conversation about the poet women? Did you
19 take any conduct -- I'm sorry, did you input
20 anything or alternatively take anything off of
21 the List after you had the conversation about
22 the poet women cataloging poet men's abuses?

23 A I don't recall when the
24 conversation about the poets occurred, so I
25 can't accurately tell you whether any -- I was

1 M. Donegan

2 making any edits or deletions to the document
3 after.

4 Q Did that conversation in any way
5 inform the disclaimers that you put in the first
6 row that we discussed previously?

7 A Again, I don't know when this
8 conversation took place, so I don't know
9 whether -- whether it would have been in my mind
10 or would have happened yet at the time that I
11 initially wrote that disclaimer. I would have
12 to know when it happened. To the best of my
13 recollection, I don't recall having had this
14 conversation or thinking about this conversation
15 at the time that I wrote that text that I
16 believe you're referring to in row one, column A
17 on Elliott 1.

18 Q Okay. And, Ms. Donegan, just from
19 reading your article and the statements you made
20 about the -- I know that you had cited the
21 Harvey Weinstein -- the breaking of the Harvey
22 Weinstein story as an event which preceded your
23 idea to post the List, I know I asked you before
24 if you had any sort of recollection of
25 conversations you had immediately before posting

1 M. Donegan

2 or making the List accessible to third parties.

3 Did you have any conversations
4 about the List or your idea, the nature of the
5 idea for the List right after reading the Harvey
6 Weinstein articles?

7 A So the question is if immediately
8 after reading -- I assume you're referring to
9 articles about Harvey Weinstein's conduct that
10 were published in the New York Times and the New
11 Yorker?

12 Q Yes, ma'am.

13 A You're asking whether I read those
14 and then immediately had a conversation with a
15 third party about the idea to make this
16 document?

17 Q So not necessarily immediately. I
18 just want to make sure that I'm covering any
19 conversations you might have had about the List
20 because I know those articles came out a few
21 days before the List. So it doesn't have to be
22 immediately after you read the article, but just
23 in the time period between when you read the
24 articles and when the List was made accessible
25 to third parties on your Google account.

1 M. Donegan

2 Do you recall any conversations
3 you had during that time, that window of time
4 period which seems longer than the period we
5 were discussing earlier in the day?

6 A Which period are you referring to
7 that we discussed earlier?

8 Q So before we were talking about
9 you don't know specifically when you thought of
10 it, but I understood it to be shortly before you
11 actually did the List or posted the List. Were
12 there any conversations you had from the time
13 you read the article, the articles that you just
14 referred to until the time that you actually
15 made the List accessible to third parties in
16 that few day period, did you have any
17 conversations about the List or your idea for
18 creating the List with anyone?

19 MR. MATZ: Objection.

20 Asked and answered.

21 A I don't quite know when I read
22 those articles. I believe the Megan Twohey and
23 Jody Kantor piece in the New York Times was
24 published a few days before the Ronan Farrow
25 piece in the New Yorker, and I don't recall

1 M. Donegan

2 whether I read those immediately on the days
3 when they came out or whether I read them some
4 days later.

5 So I don't -- it's just hard for
6 me to nail down the time period that you're
7 referring to. I don't recall any such
8 conversation but, again, it's difficult to
9 answer the question without knowing quite when
10 the time frame is.

11 Q Right. Right. So let me just put
12 it like this and I'll move on from this, Joshua,
13 is it fair to say that you don't have
14 recollection of any conversations you had about
15 the -- your creating the List before it was made
16 accessible to third parties, as you sit here
17 today?

18 MR. MATZ: Objection.

19 Asked and answered.

20 A I don't recall having any
21 conversation about the idea for the List or the
22 existence of the document before I sent that
23 initial email to three to 12 people, which was
24 the first time I believe anybody other than me
25 had seen it.

1 M. Donegan

2 Q Okay. Perfect. Thank you. That
3 clarifies it for me. Do you recall providing a
4 description of the list from the time you sent
5 the email to three to 12 people until it was
6 deleted from your account, do you recall any
7 specific descriptions you gave of the List to
8 anyone?

9 A Do I recall giving -- do I recall
10 a specific description of the document that I
11 gave to anyone during the time that it was
12 available to be read and edited by third
13 parties, is that your question?

14 Q Yes, ma'am.

15 A I believe we may have produced
16 some documents that contained some of that
17 language. If you had a specific one in mind,
18 I'd be happy to discuss it with you.

19 MR. LEWIS: Okay. Can you
20 please look at the next page,
21 Ms. Donegan, which is Donegan 54
22 and, Mr. Leto, if we can please
23 mark that as Plaintiff's 7.

24 (Plaintiff's Exhibit 7,
25 document Bates stamped

1 M. Donegan

2 DONEG00000054, was marked for
3 identification, as of this date.)

4 Q Ms. Donegan, if you would just
5 take a look and whenever you're done, please
6 just let me know.

7 MR. MATZ: So this is
8 Donegan 54, Nick?

9 MR. LEWIS: Yes.

10 MR. MATZ: Sorry. Your
11 sound cut in and out for a minute
12 there.

13 MR. LEWIS: Of course.

14 A Okay.

15 Q Ms. Donegan, the bottom email
16 dates Wednesday, October 11, 2017 at 12:27 p.m.,
17 Subject: Your list via Twitter. I'll just read,
18 just for the record, the email. "Hey Moira, I
19 saw your tweet and it gave me all the feels.
20 Reminding me of some stuff I went through years
21 ago, a bit today in" redacted. A Twitter link.
22 "I'd love to be shared on the list so I'm aware
23 of who I should look out for (I have a few names
24 in mind, but I'm sure they're on there). Full
25 disclosure" blank "but this is something I

1 M. Donegan
2 personally want to look at, not professionally."

3 Ms. Donegan, do you know what this
4 sender is referring to with "I saw your tweet
5 and it gave me all the feels," what tweet in
6 particular she's referring to?

7 A The question is what tweet this --
8 the person who sent this List is referring to?

9 Q Yes, ma'am.

10 A No, I don't know what tweet she's
11 referring to.

12 Q Okay. Does this email refresh
13 your recollection on whether you circulated the
14 List via Twitter, if you did?

15 A I did not circulate the List via
16 Twitter.

17 Q Okay.

18 A And this email reflects that.

19 Q Okay. And does this email refresh
20 your recollection if you mentioned the List on
21 your Twitter handle?

22 A I do not recall mentioning the
23 List on my Twitter handle.

24 Q Do you know why the subject is
25 "your list via Twitter"?

1 M. Donegan

2 A No, I don't. And that confused me
3 also at the time.

4 Q Okay.

5 MR. MATZ: Just to
6 register, I object to that
7 question on grounds of
8 speculation.

9 MR. LEWIS: Okay.

10 Q In your response, Ms. Donegan, you
11 write "hey" blank, "thanks for reaching out.
12 I've been really touched by how many people want
13 to help with this, and depressed by how many
14 people need it. Anyone with a link can edit the
15 Spreadsheet. If you want to edit it
16 anonymously, just log out of your gmail and then
17 follow the link. The standard disclaimer I'm
18 giving people is that these are all accusations
19 and rumors, that some of the information is
20 second hand, and to not freak out if you see a
21 man you're friends with on there. Any help you
22 can give is greatly appreciated!" I'm sorry,
23 "is really appreciated!" And then you sign "the
24 link is here" with I presume the link to the
25 Google Spreadsheet.

1 M. Donegan

2 Ms. Donegan, first, is it safe to
3 say that the List was made accessible to third
4 parties prior to 12:27 p.m. on October 11?

5 A I think the question is was the
6 List accessible to third parties prior to the
7 time that I received this email at 12:27 p.m.;
8 is that correct?

9 Q Yes, ma'am.

10 A Yes, I believe I mentioned earlier
11 that to the best of my recollection, I sent that
12 initial email to three to 12 people sometime
13 before noon on October 11, 2017.

14 Q And the comment regarding you're
15 really touched by how much people wanted to help
16 with this, was there a point where you received
17 a lot of communications about the List from
18 other people?

19 MR. MATZ: Objection to
20 form.

21 A Was there a point at which I
22 received a lot of communications about the List
23 from other people is the question?

24 Q Sure. And I should have
25 clarified. So by this point, had you received a

1 M. Donegan

2 lot of communications from others about wanting
3 to help with the List?

4 A What do you mean by "a lot" and
5 what do you mean by "help"?

6 Q So, I guess there's -- can you
7 tell me approximately how many people contacted
8 you by this point in time regarding the List?

9 A I can't tell you how many people
10 had contacted me by 12:32 p.m. regarding the
11 List on October 11. I don't recall.

12 Q Do you recall at any point after
13 you made the List accessible to third parties or
14 to any third-party individuals, do you remember
15 having sort of an influx of communications from
16 people or a sort of rush of people reaching out
17 to you?

18 MR. MATZ: Objection to
19 form.

20 A The day after I published my
21 article in The Cut, I received a large number of
22 emails regarding the article and, by extension,
23 regarding the Spreadsheet. So I believe that's
24 January 11, 2018 would be that date, but I would
25 have to refresh my memory.

1 M. Donegan

2 Q And how about on the actual day on
3 when the List was made public, did you have a
4 similar rush of people contacting you?

5 MR. MATZ: Objection to
6 form again.

7 A I don't quite know what you mean
8 by "a rush of people." Could you be a bit more
9 specific?

10 Q I guess maybe it's easier if I --
11 did more than 10 people contact you or do you
12 recall if more than 10 people contacted you by
13 12 -- by midday let's say on October 11, 2017?

14 A Had I been in contact with more
15 than 10 people on that day? I imagine so, but I
16 don't recall.

17 Q So I'm talking about people
18 specifically reaching out to you, not whether
19 you'd been in contact but people like this
20 sender, did you receive more than 10 emails from
21 people like this sender inquiring about the List
22 that day?

23 MR. MATZ: Objection to
24 form.

25 A The question is whether I

1 M. Donegan

2 received -- okay, so you're jumping back and
3 forth between time frames a bit. So are you
4 asking me about how many emails about this
5 document I had received by 12:27 p.m. or about
6 how many emails I received about the document
7 throughout the time that it was available to
8 third parties?

9 Q Do you know approximately -- I
10 guess in the initial time it was posted, like,
11 when the List became accessible to third
12 parties, do you recall if there was a -- let's
13 say within the first hour of your posting, do
14 you recall if you received a lot of emails
15 inquiring about the List or how they could, you
16 know -- withdrawn.

17 Maybe we should start with do you
18 know what you were referring to by how much
19 people wanted to help with this? Can you
20 explain what you meant by that? That might be
21 easier to start with that.

22 A I had received some communications
23 throughout the day and I assumed by this time at
24 12:32 p.m. expressing -- regarding the
25 Spreadsheet, expressing solidarity and empathy

1 M. Donegan

2 and concern for the plight of women who have
3 experienced sexual violence and sexual assault.
4 And that may be what I'm referring to, but
5 beyond that I don't really recall. Pardon me
6 just a moment. I'm going to turn on a light in
7 here. It's getting dark.

8 Q Sure. I sit in the dark as well.
9 And can you tell me approximately how many
10 people reached out with those sentiments like
11 you were describing?

12 A Which sentiments?

13 Q The empathy and the -- everything
14 you were just discussing with how many people
15 reached out to you about empathy for the victims
16 and -- I'm just trying to get a handle on sort
17 of the amount of people that were contacting you
18 sort of early on when this went up. That's
19 really the point of the question.

20 A I don't recall the number of
21 empathetic emails that I received.

22 Q The instruction you provided or
23 where you state "anyone with a link can edit the
24 spreadsheet, if you want to edit anonymously,
25 just log out of your gmail and then follow the

1 M. Donegan

2 link," did you provide that direction or however
3 you want -- I'll call it instruction, did you
4 provide that instruction to multiple people that
5 day?

6 MR. MATZ: Objection to
7 form.

8 A I would push back on the word
9 "instruction" a little just because I don't see
10 any command in this sentence.

11 Q Okay.

12 A I know that this language is
13 similar to language that appears in row one on
14 Elliott Exhibit 1.

15 Q Right. If you wouldn't call it
16 instruction, how would you qualify it just so I
17 can refer to it the same way you refer to the
18 sentence? Did you send this sentence in more
19 emails than this specific one that day?

20 A Which sentence are you referring
21 to?

22 Q "Anyone with a link can edit the
23 spreadsheet, if you want to edit anonymously,
24 just log out of your gmail and then follow the
25 link."

1 M. Donegan

2 A And what's the question?

3 Q Did you send that sentence in
4 other emails that day?

5 A I don't immediately recall doing
6 so. I would have to refresh my memory --

7 Q Okay.

8 A -- and see if it's in another one
9 of these documents. I don't immediately recall
10 using that sentence in any other email but,
11 again, this was over three and a half years ago
12 and my memory of the exact content of
13 communications from that day is very partial.

14 Q Okay. And starting at the last
15 sentence, you wrote that "any help you can give
16 is really appreciated." Can you explain to me
17 what you were referring to by "help," "any help
18 you can give"?

19 A Let me just re-read this briefly.

20 Q Sure.

21 MR. LEWIS: Joshua, while
22 Ms. Donegan's reading, if it's
23 okay with you guys, maybe at 4:21
24 perhaps if we can break for just
25 five minutes just for a quick

1 M. Donegan

2 bathroom break, if that's works
3 for you?

4 MR. MATZ: Let's say 10
5 minutes, if it's okay.

6 MR. LEWIS: Fine.

7 A I imagine "any help you can give
8 is really appreciated" refers to the same sort
9 of help that's referenced in the first sentence
10 of that same email, "I've been really touched
11 how much people want to help with this, and
12 depressed by how many people need it." I think
13 I'm referring, again, to the help that is
14 provided by solidarity and empathy, women who
15 have experienced sexual violence. But, again,
16 my memory is very partial.

17 Q Okay. And the link to the
18 Spreadsheet, do you recall whether you forwarded
19 the link in emails like this to other third
20 parties that reached out to you that day?

21 A Are you asking whether I forwarded
22 this email?

23 Q No. Do you recall whether you
24 circulated the link in other emails like this
25 where someone reached out to you about the List

1 M. Donegan

2 and you responded to them? So not in that
3 initial email to the three to 12 people, but in
4 emails to other third parties who contacted you
5 about the List?

6 A The question is during the time
7 when the document was available to be edited and
8 read by third parties, did I send the link to
9 people who requested it?

10 Q Yes, ma'am.

11 A Is that the question?

12 Q Yes.

13 A I believe I've already answered
14 this and the answer is that yes, when I received
15 these requests for the link to the document, I
16 provided them. I don't recall a specific other
17 instance, but I would have to refresh my memory.

18 Q Okay. And just the tweet that --
19 the tweet that this sender saw, do you recall
20 the substance of any tweets that you sent on or
21 about October 11, 2017?

22 MR. MATZ: Objection.

23 Relevance.

24 A Is there a specific that you're
25 referring to?

1 M. Donegan

2 Q No, I don't have any tweets
3 specifically of the day the List was active to
4 third parties. I didn't know if you
5 specifically recalled any tweets you sent that
6 day or tweets you tweeted I guess or posted that
7 specific day pertaining to the List, of course?

8 MR. MATZ: Objection.

9 Asked and answered.

10 A Yeah, you're asking -- I'm sorry,
11 Mr. Lewis, are you asking if I recall the
12 content of any tweets that I posted to my
13 Twitter account on October 11, 2017?

14 Q Or if it was -- I don't know if
15 this tweet was specifically that day or the day
16 before, but just if there were any tweets that
17 you recall posting in that time period
18 immediately before and during the time the List
19 was active or accessible by third parties?

20 MR. MATZ: Objection to
21 form.

22 A I'm afraid I'm going to have to
23 ask you to rephrase your question one more time.
24 I want to make sure that I understand you.

25 Q I'm sorry, I lose steam here, but

1 M. Donegan

2 I know you said you don't know what this
3 sender -- the tweet this sender was specifically
4 referring to, correct?

5 A That's correct.

6 Q And do you recall any tweets that
7 you sent during this time period that either
8 pertained to the List or -- I know you said you
9 didn't send the link, but send anything about
10 the List or any of the allegations within the
11 List, any tweets that you posted in and around
12 that time, do you have any idea of the tweets
13 that you tweeted those days?

14 MR. MATZ: Objection to
15 form.

16 A This is quite a broad question.
17 Do I recall -- I'm still not totally clear on
18 what the question is. Is the question do I
19 recall any tweet that I made about this document
20 or any allegations made on that document on
21 October 11, 2017, is that your question?

22 Q Yes, or in the day or two before
23 that might have pertained to the document or the
24 allegations in the document or anything like
25 that. So just the few days around when the List

1 M. Donegan

2 was active or the List was accessible to third
3 parties.

4 A I know that there were
5 conversations happening on Twitter broadly about
6 the phenomenon of sexual violence and sexual
7 harassment. I don't recall seeing tweets about
8 this document in particular and I don't recall
9 sending any tweets about this document or any
10 allegations made on this document during that
11 time frame. The day that -- October 11, 2017 to
12 be specific.

13 Q Okay. And, Ms. Donegan, do you
14 recall whether you -- after the List was
15 populated, do you recall -- withdrawn. Did you
16 send any emails with the link to the List where
17 you made comment on any of the information that
18 was in the List, whether individuals'
19 allegations, do you recall sending any such
20 communications?

21 MR. MATZ: Objection to
22 form.

23 A Do I recall -- what do you mean by
24 "comments"? You mean a comment about what?
25 Like, what are the comments and what is the

M. Donegan

content that you're wondering if I'm commenting about?

Q So the content being any content that was input into the List by third parties. In like this email, for example, you have the link to the List but there's also -- I'm not saying these are comments but there is just a paragraph that you wrote.

So in any emails, do you recall whether you sent any emails about the List where you're making comment on any of the allegations, individuals named, any of the content that was input into the List?

A Are you referring to specific content or generalized like -- are you asking me -- what are you asking me? What content?

Q

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

1 M. Donegan

2 [REDACTED].

3 A So the question is whether I sent
4 or -- whether I sent any emails that contained
5 both a link to the Spreadsheet and comments upon
6 specific accusations made in the Spreadsheet, is
7 that your question?

8 Q Yes, I'll adopt that question.
9 That's perfectly fine.

10 A Well, I want to make sure I'm
11 actually answering the question.

12 MR. LEWIS: I understand.
13 You know what, I think it's -- I'm
14 trying to -- you know, how about
15 we take that break and perhaps
16 we'll come back and I can just ask
17 it more pointedly so we can
18 streamline this and move things
19 along. Does that work for you
20 guys?

21 MR. MATZ: Sounds good. So
22 let's reconvene at 4:31 and then
23 proceed for one more hour at that
24 point.

25 MR. LEWIS: Sounds good to

1 M. Donegan

2 me.

3 MR. MATZ: Thank you.

4 (Time noted: 4:22 p.m.)

5 (A break was taken.)

6 (Time noted: 4:32 p.m.)

7 MR. LEWIS: Back on the
8 record.

9 Q So, Ms. Donegan, regarding your
10 inputting of information from third parties at
11 their request, you inputting information --
12 withdrawn. Do you know approximately how many
13 entries you performed this task for?

14 MR. MATZ: Objection to
15 form.

16 A Which task are you --

17 Q Fair enough.

18 A Rephrase, please.

19 Q If we can go back to your
20 affidavit, back to where you discuss on page
21 three of your affidavit, paragraph 17 that you
22 reviewed before, 17, 18 and 19 --

23 MR. MATZ: Can we just take
24 a minute for Moria to actually
25 pull up that part of her

1 M. Donegan

2 affidavit?

3 MR. LEWIS: Sure.

4 A This is the affidavit page, I
5 believe it's page three that we're referring to?

6 Q Correct.

7 A And you said paragraph 17, 18 and
8 19?

9 Q I'm sorry, page three. I didn't
10 hear you. You cut out when you said the page.
11 Yes, page three.

12 A Yes, give me just a moment to read
13 these.

14 Q Of course.

15 A Yes. What's your question?

16 Q So do you know approximately how
17 many entries or how many individuals you
18 performed this task specifically for, inputting
19 information on behalf of a third party upon
20 their request?

21 A Is the question how many
22 individuals' names I added to the Spreadsheet on
23 behalf of a third party or how many third
24 parties requested that I add names to or entries
25 to the document?

1 M. Donegan

2 Q So I guess how many individuals or
3 how many entries did you add on behalf of third
4 parties, approximately?

5 A I don't recall.

6 Q And I'm fairly certain I asked but
7 just to confirm, it's my understanding you don't
8 have any specific independent recollection as to
9 any individual entry that you made on behalf of
10 third parties, correct?

11 MR. MATZ: Objection.

12 Asked and answered, as you
13 anticipated.

14 A Could you rephrase that?

15 Q Sure. Am I correct in
16 understanding that you don't have an independent
17 recollection of the specific entries you made on
18 behalf of these individuals described in
19 paragraph 17; is that correct?

20 A The question is do I -- is the
21 question do I recall what content third parties
22 asked me to add?

23 Q That's a better -- yes, that's a
24 better version of my question. That is the
25 question.

1 M. Donegan

2 A I know that some people during the
3 course of the time the document was active
4 reached out to me directly with information that
5 they wanted to see added to the Google
6 Spreadsheet. I don't remember what information
7 that was or how it is represented on Elliott
8 Exhibit 1.

9 Q Do you remember how you were
10 communicating with these individuals?

11 A How I?

12 Q Email, text message, chat, G-chat,
13 anything like that, do you remember the means in
14 which you were communicating?

15 A The question is what forms the
16 communication took or like what avenues it took,
17 is that your question?

18 Q Right. Right. And also, if you
19 have your interrogatories handy, response number
20 two, that might be an easier way of going
21 through this, and I'm referring to page nine.

22 A Give me a moment to review this.

23 Q That was page nine, the middle of
24 the page.

25 A Thank you. I'm just reading now.

1 M. Donegan

2 Q Sure.

3 A Okay, what was your question?

4 Q So, Ms. Donegan, I'm sorry, can
5 you see me? Ms. Donegan, I've lost -- okay,
6 sorry. So do you recall of these different
7 accounts that you have, the personal Google
8 account -- I'm not going to put it on the
9 record -- personal Twitter account, personal
10 Facebook account, personal Instagram, Signal
11 application, texting application and the email
12 account provided by a former employer, do you
13 recall which of these accounts you were using to
14 communicate with these third parties that you
15 were inputting information in the Spreadsheet
16 for?

17 A This was a long time ago and I
18 don't remember exhaustively every single avenue
19 that people may have reached out to me on. I
20 believe most of -- to the best of my
21 recollection, most of my conversations about the
22 document in general during the time that it was
23 active were -- or that it was available for
24 third parties to read and edit were via email
25 and Twitter direct message. But that's --

1 M. Donegan

2 again, my memory is quite partial.

3 Q Okay. And, Ms. Donegan, did you
4 have -- with Twitter specifically, do you have a
5 general practice for like a period of time you
6 keep tweets?

7 MR. MATZ: Objection.

8 Judge Bulsara ruled out any
9 inquiry into Ms. Donegan's
10 practice of retaining or deleting
11 electronic communications.

12 MR. LEWIS: Including the
13 retaining? You're objecting to
14 directing her not to answer the
15 question about the retaining,
16 Joshua, just to be clear?

17 MR. MATZ: No.

18 Ms. Donegan, my direction is that
19 you can answer questions about the
20 retention, but not the deletion of
21 documents.

22 MR. LEWIS: Okay. Thank
23 you, Joshua.

24 A So in that case, Mr. Lewis, first
25 I'm going to stand up and close this window

1 M. Donegan

2 because I'm feeling a little cold, and then I'm
3 going to ask you to rephrase your question for
4 me when I return.

5 Q Sure.

6 MR. MATZ: I'm going to
7 just pause the clock for 15
8 seconds.

9 MR. LEWIS: Of course.

10 MR. MATZ: Okay, I'll start
11 up again.

12 Q Ms. Donegan, do you have a general
13 practice for how long you'll retain tweets for
14 in your personal Twitter account?

15 A Do I have a general practice
16 for -- so for how long I retain -- what do you
17 mean by "retain"?

18 Q How long you keep the tweets in
19 your account or on your account? I don't know
20 if Twitter is time line. I'm revealing how
21 washed up I am with social media in general, but
22 how long you'll keep tweets for on your account,
23 the tweets you tweeted?

24 A Keep it how?

25 Q Keep them is it on your -- I don't

1 M. Donegan

2 know if is it time line Twitter? Is Twitter
3 time line as well as like Facebook on the time
4 line, keep these tweets?

5 A Are you referring to --

6 MR. MATZ: I'm sorry,
7 objection. So, Mr. Lewis,
8 anything that is tweeted
9 automatically continues to exist
10 unless and until it is deleted.
11 So you're necessarily asking about
12 deletion which Judge Bulsara
13 precluded.

14 MR. LEWIS: Okay. Is that
15 similar for the Twitter messages
16 that Ms. Donegan -- is it your
17 same understanding for the tweets
18 that -- the Twitter direct
19 messages?

20 MR. MATZ: Yes, I would
21 object on the same grounds that
22 all messages to my knowledge
23 remain in your Twitter inbox
24 unless and until they're deleted.

25 MR. LEWIS: Okay.

1 M. Donegan

2 Q Ms. Donegan, in your
3 communications with third parties, did you have
4 sort of standard instructions you gave to third
5 parties or standard disclaimers, warnings,
6 anything that you provided to third parties who
7 asked you to post information to the list? Do
8 you recall if you had -- did you provide the
9 same responses to third parties who inquired and
10 asked you to add information to the List on
11 their behalf?

12 A Are you asking in terms of
13 response, are you asking about what
14 communication I sent back to them?

15 Q Yes. Yes. So like just for by
16 way of example, if I may illuminate where you
17 say -- I'm sorry, the one we just referred I
18 think was 54 where you say "the standard
19 disclaimer I'm giving people is that these are
20 all accusations and rumors, that some of the
21 information is second hand, and to not freak out
22 if you see a man you're friends with on there.
23 Any help you can give is really appreciated,"
24 did you have any disclaimers or comments like
25 that that you provided to everyone who sought to

1 M. Donegan

2 have you input information on their behalf?

3 A So the line in this email from
4 12:32 p.m. on October 10, 2017 and, again,
5 that's Donegan 54, that line reads "the standard
6 disclaimer I'm giving people is that these are
7 all accusations and rumors, and some of the
8 information is second hand, and not to freak out
9 if you see a man you're friends with on there."

10 So is your question about this
11 line, Mr. Lewis?

12 Q Well, yes, why don't we start with
13 this line. Was this line -- did you give this
14 line -- was this line given in each
15 communication you had with third parties who
16 reached out about the List?

17 A So the question is whether this
18 sentence, "the standard disclaimer I'm giving to
19 people," the sentence that begins that way, the
20 question is whether that sentence was included
21 in every response I sent back to a person who
22 requested that I add information to the document
23 on their behalf, is that your question?

24 Q Yes.

25 A I don't recall.

1 M. Donegan

2 Q Okay. Do you recall did you have
3 any disclaimers or any instructions that you
4 provided to everyone who reached out to you as
5 third parties and asked you to input information
6 into the List?

7 A You're asking if there was
8 language that I sent to every person who made
9 one of those requests that I believe are in item
10 17 of my affidavit?

11 Q You got it.

12 A If the question is whether I sent
13 the same language to all of those people, the
14 answer is that I don't recall.

15 Q Okay. So just like do you
16 remember, for example, at any point cutting and
17 pasting? If you got multiple emails, for
18 example, did you do sort of some cutting and
19 pasting where you were providing any of the same
20 feedback or statements or responses to third
21 parties who were reaching out to you?

22 A Are there specific documents
23 you're referring to?

24 Q No, I'm asking if you have a
25 recollection of your practice of what you were

1 M. Donegan

2 doing that day. I'll go through some more, but
3 I'm not referring to anything in particular.
4 I'm asking if you recall whether there was a
5 standard practice in the way you responded to
6 these people?

7 A If you're asking if I specifically
8 remember cutting and pasting, some of the
9 language in this email is very similar to
10 language that appears in row one in Elliott
11 Exhibit 1. I don't recall if I specifically
12 copied and pasted it or if I was using the same
13 language through a different input mechanism.

14 Q Ms. Donegan, did you encourage
15 anyone to post -- I'm sorry -- to input any
16 information into the List?

17 A I wouldn't say that I encouraged
18 or incited or invited or solicited. I would say
19 that I made the document available for women to
20 put their experiences of sexual violence and
21 sexual harassment into it.

22 Q Okay. And do you have your
23 affidavit in front of you, Ms. Donegan?

24 A I can turn to it. Give me a
25 moment.

1 M. Donegan

2 Q So the paragraphs regarding on
3 page two, paragraph 15 in particular, after you
4 get a chance to read it I'll --

5 A Paragraph 15 in my affidavit on
6 page two at the bottom of the page?

7 Q Yes, ma'am.

8 A Okay.

9 Q So, Ms. Donegan, I understand of
10 course -- and just for the record, paragraph 15
11 says "I have no recollection of soliciting or
12 encouraging anyone to add any information about
13 Mr. Elliott to the Google Spreadsheet." In your
14 email -- I'm sorry, not email. In any of your
15 communications, would you have any -- because I
16 understand your position is you didn't know
17 Mr. Elliott prior to the List, do you think
18 there's any reason you would have or a
19 communication about Mr. Elliott would have stood
20 out to you prior to the List being taken down or
21 deleted?

22 A The question is is there a reason
23 why any communication about Mr. Elliott would
24 have stuck into my memory before the Spreadsheet
25 was deleted from my Google account?

1 M. Donegan

2 Q Yes.

3 A I'm going to have to ask you to
4 rephrase because I'm not sure I understand.

5 Q So is it possible -- withdrawn.
6 I'm sorry. Did you make a single highlight on
7 the List?

8 A You're asking if I highlighted any
9 rows?

10 Q Yes, ma'am.

11 A On the Google document?

12 Q Yes, ma'am.

13 A I believe I already answered this
14 question and, as I stated previously, I have no
15 recollection of highlighting any rows on the
16 Spreadsheet.

17 Q Okay. And again, the instruction
18 of the men accused of physical sexual violence
19 by multiple women are highlighted in red, was
20 that your idea to include that in the
21 disclaimer?

22 A So I believe you're referring -- I
23 want to make sure I have this exact language in
24 front of me. I believe you are referring to
25 some text on Elliott Exhibit 1 in row one,

1 M. Donegan

2 column B; is that correct?

3 Q Yes, row one, column B. Yes.

4 A And the text is "men accused of
5 physical sexual violence by multiple women are
6 highlighted in red"?

7 Q Yes.

8 A And your question is whether I
9 wrote that or --

10 Q Well, yes. I believe you
11 testified you did write that, correct?

12 A Yes, I did.

13 Q And is that -- was there another
14 person that was sort of responsible for the
15 highlighting?

16 A Are you asking me if I delegated
17 responsibility or if --

18 Q That's a good question actually.
19 Did you delegate responsibility?

20 A The question is did I delegate
21 responsibility for highlighting rows in red, is
22 that your question?

23 Q Sure. Did you delegate
24 responsibility for highlighting in red? I'll
25 ask that first.

1 M. Donegan

2 A Well, now I want to make sure we
3 know about like the definition of "delegate."

4 MR. MATZ: I'd just like to
5 object to form on grounds of
6 vagueness.

7 MR. LEWIS: Okay.

8 Q So to clarify, Ms. Donegan, did
9 you tell another individual to highlight the
10 selections or the entries that were men accused
11 of violence by multiple women?

12 A Well, as I've previously
13 testified, I wrote that text.

14 Q Okay. But was there someone other
15 than people who were inputting into the List,
16 was there another individual who you directed or
17 told sort of if there are more than one people
18 making allegations, you highlight it? Is there
19 a specific individual you told that to or was
20 that just something that I guess whoever was --
21 whoever was going on the List could have done
22 that? I'm trying to figure out -- like,
23 withdrawn.

24 Do you know who highlighted, made
25 any of the highlights?

M. Donegan

A No.

Q And of course you don't know, therefore, who highlighted Mr. Elliott's entry, correct?

A No, I don't know.

Q And it's my understanding that you don't know who input any of the information into Mr. Elliott's row, correct?

A Mr. Elliott's row, I don't know who input any of the alleged defamatory statements into Mr. Elliott's row.

Q

A

Q

A

Q

A

Q

A

M. Donegan

Q

A

Q

A

Q

A

Q

A

Q

And did you review that entry on
October 11, 2017?

What do you mean by "review"?

I'm sorry, you're right. Did you
review Mr. Elliott's row and the information
that was input on October 11, 2017?

MR. MATZ: Objection to
form.

What do you mean by "review"?

Well --

1 M. Donegan

2 A I don't know what you're referring
3 to.

4 Q Did you read each of the entries
5 whenever you signed back on the List on October
6 11, 2017?

7 A When I viewed the document as it
8 was live and able to be edited by third parties,
9 I did read some of what was input. I don't
10 remember going through it with a fine tooth
11 comb.

12 Q And in your viewing of any of the
13 entries, did you yourself edit any of the
14 entries on October 11, 2017?

15 A What do you mean by "edit"?

16 Q In any way alter the entries when
17 you read them, take out any words, did you fix
18 the spelling, did you in any way manipulate
19 entries when you were reviewing them on October
20 11, 2017?

21 MR. MATZ: Objection to

22 form.

23 A By this definition of edit I --
24 yes, we could include -- I guess we could
25 include when I entered information at other

1 M. Donegan

2 people's request, I guess we could include the
3 time I deleted information at a accuser's
4 request, [REDACTED]

5 [REDACTED]
6 Beyond that I'm not sure what your question is.

7 Q Did you remove any allegations
8 or -- did you remove any information aside from
9 the one you just referred to where the
10 individual requested it?

11 A Not that I recall, no.

12 Q So right before we broke I was
13 asking you about whether you made any comment.
14 Do you recall making any statements whether
15 using your Google account, your Twitter account
16 or any of the Facebook, Instagram, do you recall
17 making a comment about any of the information
18 that was in the List on October 11, 2017 in any
19 way?

20 MR. MATZ: Objection to
21 form.

22 A This is a very broad question.
23 I've already -- you're asking did I comment in
24 any way on any of the information on the List in
25 any communication I had at any point on October

1 M. Donegan

2 11?

3 Q On October 11 when the List was
4 active, when the List was accessible by third
5 parties?

6 MR. MATZ: Objection to
7 form.

8 A I'm still not clear on what you're
9 asking me, Mr. Lewis.

10 Q You know what, why don't we --
11 Ms. Donegan, can you just look at page 225,
12 Donegan 225?

13 A Yes.

14 Q Can you please just review it and
15 let me know when I can ask you questions about
16 it.

17 A Sure.

18 (Plaintiff's Exhibit 8,
19 document Bates stamped
20 DONEG00000225 through
21 DONEG00000226, was marked for
22 identification, as of this date.)

23 A Okay.

24 Q So, Ms. Donegan, the first
25 sentence of 225 of the email October 12, 2017 at

1 M. Donegan

2 12:44 a.m. -- I'm sorry, I should read the first
3 email. The first email to you was October 11,
4 2017. "Hi Moira, when I signed out of gmail and
5 forwarded to" redacted "who also wants access."
6 I'm sorry, you know what, I think we have a -- I
7 have a different email. I'm sorry. I'll come
8 back to that.

9 Just the comment, the first
10 sentence of your email, "thanks for reaching out
11 and for contributing to the Spreadsheet. I got
12 advice from some lawyer friends that I and the
13 other original non-anonymous commenters were
14 open to libel suits. People were starting to
15 use the sheet for calling out aggressive dates
16 and creepy DMs, which are real violations but
17 also not what I wanted to use the document for.
18 It put me in a position of arbitrating whose
19 trauma counted and whose didn't, which just felt
20 so awful. I decided to shut it down."

21 Can you please explain to me what
22 you meant by "the other original non-anonymous
23 commenters"?

24 A Other original non-anonymous
25 commenters. I'm not exactly sure what I'm

1 M. Donegan

2 referring to. It's possible maybe that some
3 people were editing the document while not
4 logged out of their Google account and it could
5 be that I'm expressing concern for those people.

6 Q But as far as commenter goes, was
7 that a person who input into the actual List or
8 somebody that commented on the List is I guess
9 my confusion?

10 A Could you refer to me -- refer me
11 to what statements you see as commenting on the
12 document?

13 Q So when you use the commenter term
14 is what I'm -- is it that you're referring to
15 just people inputting within the actual List
16 versus commenting outside -- whether in some
17 other form, just not in the actual Spreadsheet?
18 The term "non-anonymous commenters" is really
19 what I'm not particularly clear on. So do you
20 know what you specifically meant by
21 "commenters"?

22 A Are you thinking of any, like,
23 extra textual commentary in particular?

24 Q Well, you know what, actually, can
25 you look, please, at I guess 183, Donegan 183.

1 M. Donegan

2 I was going to ask you about that, too, but I
3 guess now's as good a time as any.

4 A So we're changing documents now?

5 Q Just to answer your question. I'm
6 sorry, to point you to a comment or what I think
7 might be a comment.

8 A Might be a comment?

9 Q Yes. If you turn to 183 which I
10 guess I'll mark as Plaintiff's Exhibit 9.

11 (Plaintiff's Exhibit 9,
12 document Bates stamped
13 DONEG00000183, was marked for
14 identification, as of this date.)

15 A Mr. Lewis, do you have a question?

16 Q Sure. I'm sorry. I didn't know
17 you were finished. So for starters, at the
18 bottom of the page it appears that on October
19 12, at 12:07 a.m., you emailed the link and said
20 "idk if" blank "sent it to you yet. I know you
21 have people to add, though. Hope you're well."

22 And then the response, "wow" --
23 and this is at 12:22 a.m. on October 12, "wow,
24 nvm," never mind, "someone already told a dude
25 on it they were on it so it's gone. Still I

1 M. Donegan

2 hope you're well and you feel less attacked by
3 your job now," and then your email on October
4 12, 2017, 12:35 and 51 minutes, "Subject: Re:
5 the burn book of garbage men. Another one? Let
6 them all go down. I hope this stuff helps
7 people to feel less alone. I definitely had
8 moments looking at the one I made where I was
9 like, 'shit, so it's not just me.' Hope you're
10 well too and staying okay in this shitstorm of a
11 world."

12 So, the "another one? Let them
13 all go down," was that a comment on the
14 individuals in the List?

15 A That was a comment on the
16 documents themselves.

17 Q Okay. And how so?

18 A This exchange is a bit confusing,
19 in part, because I was confused when I received
20 it.

21 Q Okay.

22 A So what happened here, this is
23 October 12 at 12:17. Somebody sent the document
24 to me unaware that I had created it and I
25 mistakenly thought that this person was sending

1 M. Donegan

2 me another similar document. That's what I
3 believe occurred. Again, it's quite confusing.

4 Q Okay. I see. But to let them all
5 go down is about the Spreadsheet, for the
6 Spreadsheet to go down? Like, you took the
7 Spreadsheet down is another way to describe
8 going down, right?

9 A I'm sorry, what's your question?

10 Q So when you say "go down," you're
11 talking about it's not the individuals on the
12 Spreadsheet, you're talking about the actual
13 Spreadsheets themselves?

14 A Yes.

15 Q Okay. And so back to my question
16 for 225 --

17 A Hang on. Just let me pull up the
18 document.

19 Q Okay. Sorry to bounce around.

20 A Okay, document 225. Let me just
21 read this quickly once again.

22 Q The first sentence we were talking
23 about.

24 A The first sentence "hey" redacted,
25 "thanks for reaching out and for contributing to

1 M. Donegan

2 the Spreadsheet."

3 Q Correct. The first and second
4 sentence noted.

5 A So what's your question?

6 Q When you say "I and the other
7 original non-anonymous commenters were open to
8 libel suits," the non-anonymous commenters
9 you're referring to are people who input
10 information into the actual List, right?

11 A I understand this sentence to be
12 expressing concern about potential retaliation
13 against women who describe their experiences of
14 sexual harassment and sexual violence in the
15 document.

16 Q Okay. In the document. Got it.
17 And so my question, again, is do you have a
18 recollection of having emails where you were
19 making comments about the allegations in the
20 List, the individuals in the List, any of the
21 information inputted to the List, do you recall
22 sending any such email?

23 MR. MATZ: Objection.

24 Q On October 11, 2017?

25 MR. MATZ: Objection.

1 M. Donegan

2 Asked and answered. But go ahead
3 Ms. Donegan.

4 A You know, so the question is did I
5 send any emails on October 11 about the content
6 of the document, is that the question?

7 Q Yes.

8 A Well, what do you -- what do you
9 mean by "the content"?

10 Q Where you reference individuals or
11 allegations against specific individuals or you
12 make a statement about anything that's within
13 the List, whether the allegations or the people
14 that are listed, do you have any emails where
15 you're either forwarding the List or forwarding
16 a link to the List and making comments about the
17 List in such emails?

18 MR. MATZ: Objection to the
19 form.

20 A This is quite a broad question and
21 I don't feel like I quite grasp it well enough
22 to answer it. Is there a specific document
23 you're thinking of?

24 Q No, I'm not thinking of a specific
25 document. Well, let me ask this, do you recall

1 M. Donegan

2 specifically soliciting information about a
3 particular individual that was on the List or
4 listed in the List?

5 A As I've already said, I don't
6 characterize any of my communications regarding
7 this document as solicitations.

8 Q Fair enough. Did you request any
9 information about a particular individual within
10 the List?

11 A What are you -- I don't understand
12 what you're imagining.

13 Q Well, did you in any way ask other
14 individuals to input -- did you ask third
15 parties to input information about any of the
16 individuals on the List?

17 A I made the document available to
18 women to input their own experiences of sexual
19 harassment and sexual violence. It was very
20 important to me at the time that no women felt
21 pressured or as if there was an expectation for
22 them to disclose such sensitive information even
23 in an anonymous context. If you're -- beyond
24 that, I'm not sure if that answers your
25 question. Could you maybe elaborate a little

M. Donegan

bit further?

Q That's fair enough. Ms. Donegan, just so I'm clear, when you say "I deleted the list after approximately 12 hours," are you including restricting it to the specific people, is that included in deletion in your description?

A Let me pull up my Supplemental Affidavit on this matter just to refresh my memory a little bit.

[REDACTED]

MR. MATZ: Sure. If it's okay with you, I'll put that on the record and then you can

1 M. Donegan

2 correct anything that you need to.

3 MR. LEWIS: Okay. Fair
4 enough.

5 MR. MATZ: Thank you.

6 MR. LEWIS: I meant to tell
7 you that earlier. I'm sorry.
8 It's been a heck of a day.

9 MR. MATZ: In 11 minutes
10 it'll be over.

11 Q I'm sorry, Ms. Donegan, did you
12 refer to the Supplemental Affidavit that you
13 were mentioning?

14 A Yes.

15 Q Okay. Can I trouble you to tell
16 me which paragraph you were referring to in the
17 Supplemental Affidavit?

18 A You know, it's pretty short.

19 Q Sure. If you want to read it
20 first, that's perfectly fine, the reference you
21 were making that you wanted to reference. Was
22 there a particular paragraph, Ms. Donegan, that
23 you were --

24 A Could you restate your question,
25 please?

1 M. Donegan

2 MR. LEWIS: Sure.

3 Mr. Leto, can you just read that
4 back, my last question, while I
5 get the Supplemental Affidavit
6 Ms. Donegan's referring to.

7 (The requested portion of
8 the record was read by the
9 reporter.)

10 Q And, Ms. Donegan, you said you'd
11 like to refer to the Supplemental Affidavit, was
12 there a particular paragraph?

13 A I would -- the whole Supplemental
14 Affidavit is about --

15 Q Oh, I see what you're saying. I
16 see. I'm sorry, I misunderstood. I thought you
17 wanted me to point to a particular paragraph. I
18 understand what you're saying now. But was
19 the -- I'm just for the -- when you restricted
20 it, was that like in your -- outside the
21 approximate 12 hours? Like, was the restriction
22 at the approximate 12 hours, is that how the
23 time line went or we're working with here?

24 A I don't understand your question.

25 Q So like the List that was sent to

1 M. Donegan

2 you, the link of the List that was sent to you
3 in I think it was 183 that we just went over,
4 I'm sorry, 12:07 on October 12, is the List
5 restricted to the selected group at this point,
6 if you know?

7 A I don't know at this point whether
8 the List is restricted to a smaller group of
9 people who can access it or whether it has been
10 completely removed from my personal Google
11 account. I don't know.

12 Q Okay. And you made, Ms. Donegan,
13 in the manuscript turned over there was a line
14 about that you want to be -- the book to take
15 over for -- you know what, you refer to it as a
16 "yell network." I just wanted to understand
17 what you meant by "yell network"?

18 A Can you point me to the language
19 you're referring to so that I can read it?

20 Q Yes, ma'am. Okay, I can give this
21 to you later, Mr. Leto, if you don't have it.
22 It was on page 255, Donegan 255.

23 A 255?

24 Q Yes, ma'am. Third paragraph from
25 the top. Third paragraph down I should say.

M. Donegan

A On what page of 255? Oh, page 255?

Q Yes.

A My page 255 --

MR. MATZ: Yeah, page 255 is the cover page of a book proposal with no text on it.

MR. LEWIS: Oh, hang on one second. I'm sorry. It says it on top.

MR. MATZ: So this is our page 255 (indicating).

MR. LEWIS: Okay. Hang on. Well, I don't know what this is. It says 255 on mine.

Q Okay, so on that one it would be page 256 then, the third paragraph for the record, "the book I want to write, Shitty Media Men, will be, in part, a realization of the goal I had in creating the spreadsheet in the first place. It will not be a whisper network, but a yelling network, with the aim to study how our industry got to this point of intolerable misogyny, and how it has shaped the culture

1 M. Donegan
2 around it in its own sexist image."

3 MR. MATZ: Mr. Lewis, is
4 there a question about that
5 paragraph?

6 MR. LEWIS: Yes. I didn't
7 know if Ms. Donegan was looking at
8 it.

9 Q Can you please explain what you
10 mean by "yelling network," Ms. Donegan?

11 A What do you mean?

12 Q Well, when you say my goal was for
13 it to be a yelling network, like, just if you
14 could clarify what you mean by a yelling -- is
15 it just people I guess yelling allegations? I
16 don't know if there's a -- is it just that on
17 its face, just you want the allegations to be
18 yelled?

19 MR. MATZ: Objection to
20 form. The question is vague.
21 Mr. Lewis, would you please
22 restate it?

23 MR. LEWIS: Sure.

24 Q So, Ms. Donegan, was your goal you
25 had in creating this Spreadsheet to notify as

1 M. Donegan

2 many people as possible of the allegations that
3 were placed in the Shitty Media Men Spreadsheet?

4 A Was my goal in creating the
5 Spreadsheet to notify as many people as possible
6 about the allegations that were made in the
7 spreadsheet, is that your question?

8 Q Yes.

9 A You're asking if my goal in
10 creating the Spreadsheet was to make allegations
11 as public as possible, is that what you're
12 asking me?

13 Q Yes.

14 A The answer to that question is no.

15 Q Can you tell me what your goal was
16 in creating the Spreadsheet in your own words?

17 A I wanted a place where women could
18 warn each other about sexual harassment and
19 sexual assault without fear of retaliation or
20 punishment or violent retribution for doing so.

21 Q Can you explain just what the
22 difference -- like, why is it that a yelling
23 network for that purpose versus a whisper
24 network as you write in your manuscript?

25 A Why is what a yelling network?

1 M. Donegan

2 Q Like, you refer to it that it will
3 be not a whisper network, but a yelling network,
4 can you explain what you mean by that statement?

5 A This is a book proposal and I am
6 referring to my proposed book.

7 Q And what do you mean by yelling
8 network versus a whisper network?

9 A You know, that line was written by
10 my agent and I think it is supposed to be a
11 cheeky play on the phrase "whisper network."
12 The general idea that I understand to be
13 represented by this paragraph is that the book
14 that I am proposing to write in this text will
15 explicate more broadly the problem of misogyny
16 in the media industry.

17 MR. MATZ: So with
18 apologies, that brings us to the
19 end of our three-hour deposition.
20 Mr. Lewis, we wanted to enter one
21 final matter on to the record.

22 MR. LEWIS: Right. So with
23 regard to --

24 MR. MATZ: I can enter it
25 on to the record, if that's okay?

1 M. Donegan

2 MR. LEWIS: Sure.

3 MR. MATZ: [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 MR. LEWIS: And if I might
20 just put -- well, is it all right
21 with you, Joshua, if I put just
22 the page numbers on the record or
23 can we agree to -- it doesn't have
24 to be on this transcript, at some
25 point just so we have the specific

1 M. Donegan

2 emails that we're talking about in
3 some fashion on the record?

4 Do you have a problem with
5 me listing just the numbers
6 without any further description?

7 MR. MATZ: If you'd like to
8 put them on the record, that's
9 okay. Recognizing that both the
10 transcript of this deposition and
11 those documents are subject to a
12 protective order.

13 MR. LEWIS: Right. So to
14 my understanding, the documents
15 that Ms. Donegan did not testify
16 to were from Defendant's
17 production of Donegan pages 13,
18 55, 77, 221, and 238 as topics
19 covered by the Nondisclosure
20 Agreement.

21 MR. MATZ: Did I say
22 document 13?

23 MR. LEWIS: Yes.

24 MR. MATZ: Okay, I'll take
25 your word for that for these

1 M. Donegan
2 purposes.

3 MR. LEWIS: And just to be
4 clear, that was dated, just so you
5 know, January of 2018 was that
6 email. And that was the only
7 point I thought we should just
8 address on the record.

9 So we did not go into that
10 and, as we saw, our time was
11 pretty tight anyway. So thank you
12 guys for your time and I guess
13 that's my three hours.

14 MR. MATZ: Yes, we're off
15 the record.

16 (Plaintiff's Exhibit 10,
17 document Bates stamped
18 DONEG00000255 through
19 DONEG00000318, was marked for
20 identification, as of this date.)

21 (Time noted: 5:36 p.m.)
22
23
24
25

A C K N O W L E D G M E N T

STATE OF NEW YORK)

: ss

COUNTY OF)

I, MOIRA DONEGAN, hereby certify that I have read the transcript of my testimony taken under oath in my deposition of January 14, 2021; that the transcript is a true and complete record of my testimony, and that the answers on the record as given by me are true and correct.

MOIRA DONEGAN

Signed and subscribed to before me this
day , 2021.

Notary Public, State of New York

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ERRATA SHEET FOR THE TRANSCRIPT OF:

Case Name: Elliott v. Donegan, et al.

Deposition Date: January 14, 2021

Deponent: Moira Donegan

Place: Virtual Zoom Videoconference

CORRECTIONS

PG	LN	NOW READS	SHOULD READ	REASON FOR
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_____	_____
Date	Signature

Subscribed and sworn to before me
this day of 2021.

(NOTARY PUBLIC)

C E R T I F I C A T E

I, EDWARD LETO, a Notary Public in and
for the State of New York, do hereby certify:

THAT the witness whose testimony is
hereinbefore set forth, was duly sworn by me;
and

THAT the within transcript is a true
record of the testimony given by said witness.

I further certify that I am not related,
either by blood or marriage, to any of the
parties in this action; and

THAT I am in no way interested in the
outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set
my hand this 25th day of January, 2021.



EDWARD LETO

[& - able]

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Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.

THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS
COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

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